



Montana Legislative Services Division
Legal Services Office

TO: State Administration and Veterans' Affairs Interim Committee

FROM: K. Virginia Aldrich

DATE: November 18, 2021

RE: Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

MAR NOTICE NUMBER: 44-2-252

AGENCY/BOARD: Secretary of State

RULE CLASSIFICATION: (e.g., substantive/interpretive/emergency/temporary): Substantive

SUBJECT: Registration of Employers of Paid Signature Gatherers

NOTICE DESCRIPTION: (e.g., proposal notice/adoption notice): Notice of Public Hearing on Proposed Amendment

SUMMARY OF RULE(S):

The Secretary of State proposes to adopt one rule concerning the registration of employers of paid signature gatherers. The proposed rule provides that a person employing paid signature gatherers must submit a registration form to the Secretary of State's office prior to collecting signatures on a ballot issue. This provision is in accordance with the requirements of Chapter 554, L. 2021, which also provided that the form "must be accompanied by a filing fee of not more than \$100 or an amount set by the secretary of state." Section 13-27-202, MCA. The proposed rule provides that the filing fee is \$0. While this means that the required filing fee will not accompany the form, setting the fee at \$0 is both below \$100 and an amount set by the Secretary of State. The Secretary of State notes that the fee does not have a fiscal impact and no persons will be affected.

The proposed rule also provides that the registration form must be amended if the employer

employs additional individuals "after the registration form is submitted."

NOTES: A public hearing will be held on December 10, 2021, at 10 a.m., Secretary of State's Office Conference Room, Room 260, State Capitol Building, Helena, Montana. The public comment period ends on December 17, 2021.

FULL TEXT OF NOTICE: The full text of the proposal notice and the amended proposal may be found online at <https://rules.mt.gov> once the notice is published.